

Hearing Date: March 30, 2023, at 11:00 a.m. (Prevailing Eastern Time)  
Objection Deadline: March 23, 2023, at 4:00 p.m. (Prevailing Eastern Time)

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*Proposed Counsel to Official Committee of Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No.: 23-10063 (SHL)

Jointly Administered

Re: Docket Nos. 14, 67

**THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' OMNIBUS  
STATEMENT REGARDING THE DEBTORS' REDACTION MOTIONS**

The Official Committee of Unsecured Creditors (the “**Committee**”) appointed in the cases of the above-captioned debtors and debtors in possession (collectively, the “**Debtors**”) respectfully states as follows in response to (i) the *Debtors’ Motion for Entry of Interim and Final*

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s tax identification number (as applicable), are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these chapter 11 cases, the service address for the Debtors is 250 Park Avenue South, 5th Floor, New York, NY 10003.

*Orders Waiving the Requirement that Each Debtor File a List of Creditors and Authorizing Preparation of a Consolidated List of Creditors, in Lieu of Submitting a Formatted Mailing Matrix, (II) Authorizing the Debtors to File a Consolidated List of the Debtors Fifty (50) Largest Unsecured Creditors, (III) Authorizing the Debtors to Redact Certain Personally Identifiable Information, and (IV) Granting Related Relief* [Docket No. 14] (the “**Creditor Matrix Motion**”) and (ii) the Debtors’ Motion Pursuant to 11 U.S.C. §§ 107(b), 107(c), and 105(a) for Entry of an Order Authorizing the Debtors to Redact and File Under Seal Certain Information About the Confidential Parties Listed in the Debtors’ Professional Retention Applications and Schedules [Docket No. 67] (the “**Redaction Motion**,” and together with the Creditor Matrix Motion, the “**Debtors’ Redaction Motions**”):

#### **Statement**

1. The Debtors’ Redaction Motions seek to redact confidential information of individual creditors. They do not seek relief with respect to the names of institutional creditors, subject to narrow exceptions. Nor do they explicitly seek the redaction of documents filed by parties in interest other than the Debtors.

2. The Committee believes that it is imperative that the Court authorize and order the Debtors as well as other parties in interest to redact *all* personally identifiable information (such as names, physical addresses, and e-mail addresses of the Debtors’ lenders). Accordingly, the Committee filed *The Official Committee of Unsecured Creditors’ Motion for Entry of an Order Requiring the Redaction of Certain Personally Identifiable Information* [Docket No. 137] (the “**Committee’s Redaction Motion**”).

3. As described in the Committee’s Redaction Motion, the Committee believes (and has submitted a declaration from its proposed financial advisor) that such information is

commercially sensitive information that will be monetized as part of the Debtors' sale process or the value of which will be distributed to creditors under a reorganization in the absence of a sale. As further described in the Committee's Redaction Motion, preserving the confidentiality of the confidential information at issue is necessary to preserve the goodwill of the lenders. The preservation of that goodwill is necessary to ensure the success of the marketing process and maximize creditor recoveries under a chapter 11 plan. Finally, the Committee believes that the uncontrolled disclosure of the confidential information at issue is necessary under 11 U.S.C. § 107(c) to protect individual creditors as well as individuals associated with institutional creditors.

4. Although the Committee filed the Committee's Redaction Motion to expand upon the relief requested in the Debtors' Redaction Motions, the Committee nevertheless believes that the relief requested in the Debtors' Redaction Motions should be approved.<sup>2</sup>

5. The Committee reserves all rights, remedies, and arguments, without waiver, in connection with the relief sought by the Debtors' Redaction Motions or the Committee's Redaction Motion.

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<sup>2</sup> The Committee further submits that the Court also should approve the Committee's Redaction Motion so that (a) the Debtors are required to redact confidential information of (i) individual creditors as well as (ii) institutional creditors, from (x) the Debtors' schedules of assets and liabilities and statements of financial affairs and (y) any other document or paper the Debtors have filed or will file in these chapter 11 cases, and (b) all parties in interest are required to redact confidential information of (i) individual creditors as well as (ii) institutional creditors, from any document or paper such parties in interest have filed or will file in these chapter 11 cases.

Dated: March 23, 2023  
New York, New York

Respectfully submitted,

By: /s/ Gregory F. Pesce

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